



FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF GENERAL COUNSEL

Memorandum

TO: Director, Reference Information Center
Chief, Media Bureau

FROM:  Daniel M. Armstrong
Associate General Counsel

SUBJECT: *Office of Communication of the United Church of Christ, Inc. v. FCC & USA*, No. 05-4189 (Sixth Cir.) and *Viacom Inc. v. FCC & USA*, No. 05-1387 (D.C. Cir.).
Filing of Petitions for Review in the United States Courts of Appeals for the Sixth and District of Columbia Circuits.

DATE: October 13, 2005

This is to advise you that, on September 26, 2005, the Office of Communication of the United Church of Christ, Inc. ("UCC") filed a Petition for Review in the U.S. Court of Appeals for the Sixth Circuit, and, on October 3, 2005, Viacom Inc. ("Viacom") filed a Petition for Review in the U.S. Court of Appeals for the D.C. Circuit, pursuant to 47 U.S.C. 402(a), of the following order: *In the Matter of Children's Television Obligations of Digital Television Broadcasters*, Report and Order and Further Notice of Proposed Rule Making, MB Docket No. 00-167, 19 FCC Rcd 22943 (2004), 70 Fed. Reg. 63-68 (January 3, 2005).

UCC and Viacom challenge the above-referenced Report and Order adopting rules relating to the obligations of television broadcasters generally, and digital television broadcasters in particular, to provide children's educational and informational programming.

The Sixth Circuit has docketed its case as No. 05-4189 and the D.C. Circuit has docketed its case as No. 05-1387. The attorneys assigned to handle the litigation of these cases are C. Grey Pash, Jr. and James M. Carr.